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**From:** Sisk, Richard [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F5E82957A5E04E3DBA9A51A05AD82E14-SISK, RICHARD]  
**Sent:** 10/20/2016 10:32:10 PM  
**To:** David A. Cook (lawbydave@gmail.com) [lawbydave@gmail.com]  
**Subject:** Additional Questions from EPA's Consultants review the ATP Information

Dave – Below are some additional questions that arose in reviewing the information supplied by Mr. Hennis.

EPA consultants have done some preliminary calculations using the EPA ATP models using the information already supplied by Mr. Hennis and I am very optimistic that a settlement is possible using this framework.

I am off tomorrow but if you would like to get an update on the preliminary calculations or have any questions on these additional question, please give me a call on Monday.

Thanks

#### ADDITIONAL QUESTIONS

1. State the full legal name, address, telephone number, position(s) held by, and tenure of, the individual(s) answering any of these questions on behalf of Todd C. Hennis.
2. Please provide a list of any business, sole proprietorship, assumed name, corporate entity, partnership, or trust owned or controlled by Mr. Hennis (referred to hereinafter as “Hennis Entity” or “Hennis Entities”) regardless of whether such entity has had any involvement with the Bonita Peak Superfund Site. Such entities may include, but are not limited to: Salem Minerals, Inc., Gladstone Corporation, Gladstone Institute, San Juan Corporation, Pride of the West, LLC, Black Horse Capital Inc., Green Energy Metals Corp., National Financial Services LLC, Colorado Goldfields Inc., Fidelis Capital Management LLC, Robert M. Sandoe Irrev MAR TR EDPA, and Neometal SAS.
3. For each Hennis Entity identified in response to question 2 of this request, please submit a complete package of Ability to Pay Application materials, including: Certification Statement for Ability to Pay Information, EPA Financial Statement for Businesses, copies of the five most recent years of the company’s or partnership’s federal income tax returns, financial statements for the current year to date and the prior year to date of the company or partnership, and completed Form 4506-T Request for Transcript of Tax Return.
4. Please provide a list of all real property owned by Mr. Hennis or any Hennis Entity, without regard to whether such property is within the Bonita Peak Superfund Site.
  - a. For each property identified, please provide the assessor parcel number or legal description, documentation of the acquisition of the property, including the purchase contract and sales price, the most recent assessed value, and any independent appraisal performed on the property.
  - b. For each property identified, state whether any rents or production value is being collected or produced at the property.
5. Please describe any shared management fees, loans, or any other related party transactions between Mr. Hennis and any Hennis Entity, or among any Hennis Entities.
6. Please provide background regarding the Fiduciary Trust Company that paid ordinary dividends of \$45,353 to Mr. Hennis in 2015.

- a. On what basis did Mr. Hennis receive a distribution?
  - b. When was the Trust established, and by whom?
  - c. What is the purpose and nature of the assets held in trust?
  - d. Identify the Trustee. State whether Mr. Hennis expects to receive dividends from the Fiduciary Trust Company in the future.
7. Mr. Hennis reported a 25% ownership interest in his primary residence. Identify the owner of the remaining 75% interest in Mr. Hennis' primary residence.
  8. Mr. Hennis reported personal expenses for "Other taxes" of \$5,000 and Legal/professional fees of \$15,000 on his Individual Ability to Pay form. Please describe the nature of these expenses. Are these expenses recurring or non-recurring?
  9. On its tax returns, Gladstone Corporation reports a Mortgage/Real Estate Loans asset totaling \$25,000 in 2014 and \$33,944 in 2015. Please describe this asset.
  10. Gladstone Corporation reports an investment of \$88,928 in Neometal SAS on its 2015 tax returns. Please describe this asset.
  11. Identify all property, casualty and/or liability insurance policies, and any other insurance contracts, held by any Hennis Entity or any predecessor entity from the time any Hennis Entity or its predecessor entity began operations until the present. In identifying such policies, state:
    - a. The name and address of each insurer and of the insured;
    - b. The type of policy and policy numbers;
    - c. The effective dates for each policy; and
    - d. The per occurrence policy limits of each policy.
  12. Provide statements of the maximum amount that you believe Mr. Hennis as an individual and each Hennis Entity is financially able to pay to resolve its liability. You may express this amount as a one time, cash payment due within the next twelve months and/or, an estimate of the amount the company or partnership could pay in annual instalment payments spread over the next five (5) years.
  13. Provide any additional information which may be relevant in evaluating the ability to pay of Mr. Hennis and each Hennis Entity.

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